



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

June 1, 2022

VIA ECF and E-MAIL

Hon. John P. Cronan
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Singh, et al. v. Mayorkas, et al.*, No. 21 Civ. 2852 (JPC)

Dear Judge Cronan:

This Office represents the government in this action in which the plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate twelve Applications to Register Permanent Residence or Adjust Status (Forms I-485). On April 4, 2022, the Court granted the government’s on-consent motion to continue to stay this case due to the lapse in statutory authorization related to the EB-5 Immigrant Investor Regional Center Program, which is the basis for the plaintiffs’ I-485 applications. *See* ECF No. 27. I write respectfully pursuant to the Court’s further direction that the parties submit a joint status letter by June 3, 2022, advising the Court of the status of the Regional Center Program. *See id.*

As noted in the April 1, 2022 status update to the Court, on March 15, 2022, President Biden signed into law the Consolidated Appropriations Act, 2022. *See* ECF No. 26; <https://www.congress.gov/bill/117th-congress/house-bill/2471>. Division BB of this appropriations law constitutes the EB-5 Reform and Integrity Act of 2022, which contains authority for a new EB-5 Regional Center Program. Pub. L. No. 117-103, div. BB § 103. Thereafter, USCIS issued public guidance stating that it has resumed processing of Forms I-526, Immigrant Petitions by Alien Entrepreneurs, related to the EB-5 Regional Center Program that were filed on or before the sunset of the old program on June 30, 2021. *See* EB-5 Immigrant Investor Program, USCIS, <https://www.uscis.gov/working-in-theunited-states/permanent-workers/eb-5-immigrant-investor-program>. The parties also understand that the California Service Center, where the plaintiffs’ applications are pending, recently resumed processing EB-5-related Form I-485 applications.

USCIS has approved six of the Forms I-485 in this matter and recently issued Requests for Evidence relating to the other six Forms I-485. The parties agree, through their respective counsel, that the stay on this case should remain in place to allow time for the plaintiffs to respond to the Requests for Evidence and for USCIS to review the responses and determine next steps, which could render this action moot. If acceptable to the Court, the parties will file a joint status report within sixty days, *i.e.*, by August 2, 2022.

I thank the Court for its consideration of this letter.

Respectfully submitted,

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cc: Counsel of record (via ECF)

The Court grants the parties' request to continue the stay. The parties must file a joint status letter by August 2, 2022. The Clerk of the Court is respectfully directed to close the motion pending at Docket Number 28.

SO ORDERED.

Date: June 2, 2022

New York, New York


JOHN P. CRONAN
United States District Judge